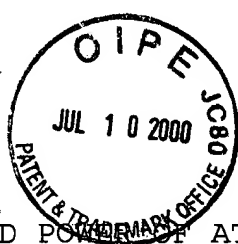


#3



ORIGINAL CASE

DOCKET:1172

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
=====

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HYBRID SOFT AND HARD DECISION FEEDBACK EQUALIZER

the specification of which is [] attached hereto or ☒ was filed on 04/14/00 as application serial no: 09/549368 as amended on [] .

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code 119 of any foreign application(s), for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: NONE

Prior foreign application(s)	Priority	Priority
Application No: country	date	claimed?
=====	=====	=====

I hereby claim the benefit under Title 35, United States Code, 120, of any United States application(s) listed below, and, insofar as the subject of each of the claims of this application is not disclosed in the prior United States application in the same manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose material information as defined in Title 37, Code Regulations, of Federal 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: YES

Prior U.S. applications:		
Application serial no:	U.S. filing date	Status
=====	=====	=====
60/129478	04/15/99	PENDING



POWER OF ATTORNEY
=====

As below named inventor, I/we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

ALLAN J. JACOBSON
Reg. No. 29,079

SEND CORRESPONDENCE TO:
ALLAN JACOBSON, ATTORNEY AT LAW
13310 Summit Square Center
Route 413 & Doublewoods Road
Langhorne, Pennsylvania 19047

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

=====

Full name of inventor: Thomas J Endres

Inventor signature: X Thomas J Endres

DATE: 4-18-00

Residence:

Citizenship: US

Pipersville, PA 18947 US

Post Office Address:

55 Municipal Road, Pipersville, PA 18947 US

=====

Full name of inventor: Samir N Hulyalkar

Inventor signature: Y Samir N Hulyalkar

DATE: 4-18-2000

Residence:

Citizenship: India

Plainsboro, NJ 08536 US

Post Office Address:

1209 Aspen Drive, Plainsboro, NJ 08536 US

=====

Full name of inventor: Christopher H Strolle

Inventor signature: X Christopher H Strolle

DATE: 4-18-2000

Residence:

Citizenship: US

Glenside, PA 19038 US

Post Office Address:

275 Bickley Road, Glenside, PA 19038 US

=====

Full name of inventor: Troy A Schaffer

Inventor signature: Y Troy A Schaffer

DATE: 4/18/00

Residence:

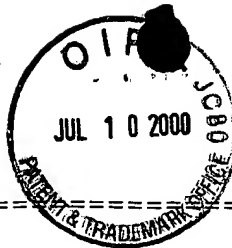
Citizenship: US

Langhorne, PA 19047 US

Post Office Address:

71 Summit Trace Road, Langhorne, PA 19047 US

=====



=====

Full name of inventor: Anand M Shah

Inventor signature: X [Signature]

DATE: X 4/18/00

Residence:

Citizenship: US

Yardley, PA 19067 US

Post Office Address:

33 East Afton Ave #6, Yardley, PA 19067 US

=====

Full name of inventor:

Inventor signature: _____

DATE: _____

Residence:

Citizenship: _____

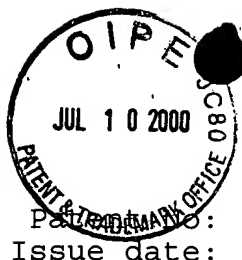
Post Office Address:

=====

ALLAN J. JACOBSON
Reg. No. 29,079

SEND CORRESPONDENCE TO:
ATTORNEY AT LAW
13310 Summit Square Center
Route 413 & Doublewoods Road
Langhorne, Pennsylvania 19047
(215) 579-1426

Applicant(s): Thomas J Endres et al
DOCKET: 1172 ORIGINAL CASE
serial No:
filing date: 04/14/00



#3

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c) - SMALL BUSINESS CONCERN
=====

I hereby declare that I am

☐ the owner of the small business concern identified below
☒ an official of the small business concern empowered to act on
behalf of the concern identified below:

NAME OR SMALL BUSINESS: NxtWave Communications, Inc.
ADDRESS OF SMALL BUSINESS: One Summit Square
Langhorne, PA 19047 US

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12 and reproduced in 37 CFR 1.9(d), for the purpose of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled:

HYBRID SOFT AND HARD DECISION FEEDBACK EQUALIZER

by inventors:

Thomas J Endres Samir N Hulyalkar
Christopher H Strolle Troy A Schaffer
Anand M Shah

☐ the specification of which is ☐ attached hereto or
☒ was filed on 04/14/00 as application serial no: 09/549368
as amended on

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)-SMALL BUSINESS CONCERN
=====

business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.
(37 CFR 1.27)

Name _____

Address _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

Name _____

Address _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of payment, the earliest of the issue fee or any maintenance fee due after the date on which status as small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Kenneth E. SIELATYCKITITLE OF PERSON IF OTHER THAN OWNER V.P. FINANCE & ADMINISTRATION

ADDRESS OF PERSON SIGNING ONE SUMMIT SQUARE, RT 413 & DOUBLEWOODS RD.
LANGHORNE, PA 19047

SIGNATURE Kenneth E. SIELATYCKIDATE 4-18-00

SEND CORRESPONDENCE TO:
Reg. No. 29,079

ALLAN J. JACOBSON
ATTORNEY AT LAW
13310 Summit Square Road
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(215) 579-1426